

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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|--------------------------|---|--------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | Criminal No.05-10004-PBS |
| |) | |
| OLEKSIY SHARAPKA |) | |

ASSENTED-TO MOTION TO CONTINUE
RULE 11 HEARING

Counsel respectfully requests a continuance of the April 14, 2006 rule 11 hearing. As reasons for this request counsel states he is returning to St. Louis, MO. for the remainder of the week of April 10, 2006 due to an unexpected medical emergency in his family. Assistant U.S. Attorney Seth Berman assents to this request. If the Court were to continue the change of plea, both counsel respectfully suggest May 4th as a suggested date.

Both parties agree that this time period should be deemed excludable in the interests of justice.

Dated: April 10, 2006

Respectfully Requested,
/S/ Frank Fernandez
Frank J. Fernandez, BBO #653771
Denner O'Malley, LLP
Four Longfellow Place, 35th Floor
Boston, MA 02114

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing document was served this 9th day of March, 2005, via electronic delivery to the Clerks Office of the United States District Court and by mail to those not registered with ECF.

/S/ Frank Fernandez
Frank Fernandez